

MESSAGE NO: 2164111 MESSAGE DATE: 06/12/1992

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-508-604

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/01/1989 TO 07/31/1990

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR INDUSTRIAL PHOSPHORIC ACID FROM ISRAEL  
- HAIFA CHEMICALS AND NEGEV PHOSPHATES, LTD. PARTIAL REVOCATION -NEGEV  
PHOSPHATES, LTD.

MESSAGE NO: 2164111

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CASES: A - 508 - 604

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PERIOD COVERED: 08 01 1989 TO 07 31 1990

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: LIQUIDATION INSTRUCTIONS FOR INDUSTRIAL PHOSPHORIC ACID  
FROM ISRAEL - HAIFA CHEMICALS AND NEGEV PHOSPHATES, LTD.  
PARTIAL REVOCATION -NEGEV PHOSPHATES, LTD.

1. FOR ALL SHIPMENTS OF INDUSTRIAL PHOSPHORIC ACID FROM ISRAEL  
MANUFACTURED BY HAIFA CHEMICALS (A-508-604-002), WHICH WERE  
ENTERED DURING THE PERIOD AUGUST 1, 1989 THROUGH JULY 31,  
1990, ANTIDUMPING DUTIES SHOULD BE ASSESSED AT THE RATE OF  
6.82 PERCENT AD VALOREM.

2. ALL SHIPMENTS OF INDUSTRIAL PHOSPHORIC ACID MANUFACTURED BY

NEGEV PHOSPHATES, LTD. (A-508-604-001), WHICH WERE ENTERED DURING THE PERIOD AUGUST 1, 1989 THROUGH JULY 31, 1990, SHOULD BE LIQUIDATED WITHOUT REGARD TO DUMPING DUTIES. YOU MAY APPRAISE THESE SHIPMENTS AND LIQUIDATE THE APPLICABLE ENTRIES BY STAMPING EACH INVOICE WITH THE WORDING "NO DUMPING DUTIES DUE".

3. ON MARCH 23, 1992 THE DEPARTMENT OF COMMERCE REVOKED THE ANTIDUMPING DUTY ORDER WITH RESPECT TO NEGEV PHOSPHATES, LTD (57 FR 10008). THIS PARTIAL REVOCATION APPLIES TO ALL UNLIQUIDATED ENTRIES OF THIS MERCHANDISE PRODUCED BY NEGEV AND EXPORTED TO THE UNITED STATES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, ON OR AFTER AUGUST 1, 1990. THEREFORE, ALL SHIPMENTS OF INDUSTRIAL PHOSPHORIC ACID MANUFACTURED BY NEGEV WHICH ENTERED, OR WERE WITHDRAWN FROM WAREHOUSE, AFTER JULY 31, 1990 SHOULD BE LIQUIDATED WITHOUT REGARD TO DUMPING DUTIES. SUSPENSION OF LIQUIDATION FOR ALL FUTURE SHIPMENTS OF INDUSTRIAL PHOSPHORIC ACID MANUFACTURED BY NEGEV PHOSPHATES LTD. IS LIFTED.

4. IN ACCORDANCE WITH C.I.E. N-15/18 DATED APRIL 21, 1988, REPORT TO CUSTOMS SERVICE HEADQUARTERS ANY DUMPING DUTIES DUE. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE IS SUBJECT TO THE PROVISION OF SECTION 778 OF THE TARIFF ACT, WHICH REQUIRES INTEREST ON OVERPAYMENTS OR UNDERPAYMENTS OF THE AMOUNTS DEPOSITED AS ESTIMATED DUMPING DUTIES. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED DUTIES THROUGH THE DATE OF LIQUIDATION.

5. IMMEDIATELY, FORWARD TO CUSTOMS SERVICE HEADQUARTERS ANY INFORMATION ON FILE WHICH MIGHT AFFECT THE APPRAISED VALUES UNDER THE ANTIDUMPING PROVISIONS, WITH AN EXPLANATION OF THE CIRCUMSTANCES UNDER WHICH IT WAS RECEIVED. IN SUCH A CASE, SUSPEND LIQUIDATION OF AFFECTED ENTRIES UNTIL A DECISION IS

MADE CONCERNING THE APPLICABILITY OF THE ADDITIONAL INFORMATION.

6. WHENEVER THE USE OF THESE INSTRUCTIONS RESULTS IN THE ASSESSMENT OF ANTIDUMPING DUTIES, REQUIRE OF THE IMPORTER, PRIOR TO LIQUIDATION, THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. IMPORTERS WERE ADVISED OF THE REQUIREMENT WHEN THE FINAL RESULTS OF THE ADMINISTRATIVE REVIEW WERE PUBLISHED IN THE FEDERAL REGISTER. COMMERCE HAS AUTHORIZED CUSTOMS TO DOUBLE THE ANTIDUMPING DUTIES IF THE IMPORTER FAILS TO PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION.
7. YOU MAY RELEASE APPRAISED VALUES TO THE INDIVIDUAL IMPORTER CONCERNED OR HIS AUTHORIZED REPRESENTATIVE. YOU MAY NOT RELEASE ANY DETAILS OF THE CALCULATIONS OF APPRAISED VALUES WITHOUT AUTHORIZATION OF CUSTOMS SERVICE HEADQUARTERS.
8. EFFECTIVE AS OF THE DATE OF ISSUANCE OF THIS MASTER LIST, YOU SHOULD NO LONGER SUSPEND LIQUIDATION OF ENTRIES COVERED BY THIS MASTER LIST AND YOU SHOULD PROCEED WITH LIQUIDATION ACCORDINGLY.
9. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE IMPORT SPECIALIST DIVISION, OTHER AGENCY BRANCH VIA EMAIL ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT THE IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE (202) 377-2786.

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## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party